JC02 Rec'd PCT/PTO 02 SEP 2005

FORM PTO 1390 (REV 5-93)

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371

ATTORNEY DOCKET NUMBER-2005-0040A

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
10/522,674

International Application No. PCT/IT03/00130

International Filing Date March 4, 2003

Priority Date Claimed July 2, 2002

Title of Invention

WATERPROOFED AND VENTILATED ITEM OF FOOTWEAR

Applicant(s) For DO/EO/US Gabriele GRANDINI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. [] This is a FIRST submission of items concerning a filing under 35 U.S.C. §371.
- 2. [X] This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371.
- 3. [] This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
- 4. [] A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- 5. [] A copy of the International Application as filed (35 U.S.C. §371(c)(2))
 - a. [] is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. [] has been transmitted by the International Bureau.
 - c. [] is not required, as the application was filed in the United States Receiving Office (RO/US)
- 6. [] A translation of the International Application into English (35 U.S.C. §371(c)(2)).
- 7. [] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
 - a. [] are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. [] have been transmitted by the International Bureau.
 - c. [] have not been made; however, the time limit for making such amendments has NOT expired.
 - d. [] have not been made and will not be made.
- 8. [] A translation of the amendments to the claims under PCT Article 19.
- 9. [X] An (EXECUTED) oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). ATTACHMENT F
- 10. [] A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

- 11. [] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- 12. [X] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

ATTACHMENT G

- 13. [] A FIRST preliminary amendment.
 - [] A SECOND or SUBSEQUENT preliminary amendment.
- 14. [X] Other items or information: Notification of Missing Requirements under 35 U.S.C. 371 in the United States

Designated/Elected Office (DO/EO/US) - ATTACHMENT H

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

U.S. APPLICATION NO. (Flames and 37 of R 1.5) 10/522,674		INTERNATIONAL APPLICATION NO. PCT/IT03/00130			ATTORNEY'S DOCKET NO. 2005-0040A	
15. [X] The following fees are submitted				•	CALCULATIONS	PTO USE ONLY
Basic National Stage Fee \$300.00 National Stage Search Fee. \$500.00 National Stage Examination Fee. \$200.00 Specification/drawings in excess of 100 pages (inits of 50 x \$250.00) = \$						
ENTER APPROPRIATE BASIC FEE AMOUNT =					\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).						
Claims	Number Filed	Number	Extra	Rate		
Total Claims	-20 =			X \$50.00	\$	
Independent Claims	- 3 =	_		X \$200.00	\$	
Multiple dependent claim(s) (if applicable) + \$360.00					\$	
TOTAL OF ABOVE CALCULATIONS =					\$130.00	
[X] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.					\$65.00	
SUBTOTAL =					\$65.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$	
TOTAL NATIONAL FEE =					\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +					\$40.00	
TOTAL FEES ENCLOSED =					\$105.00	
					Amount to be refunded	s
					Amount to be charged	s
a. [X] A check in the amount of \$105.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.						
c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
19. CORRESPONDENCE ADDRESS			Mille-			
				E. Pedersen , ration No. 33,145		
CUSTOMER NO.				·	_	
000513 2033 "K" \$, LIND & PONACK, L.L.P. treet, N.W., Suite 800	
Phon					n, D.C. 20006-1021 :(202) 721-8200 (202) 721-8250	

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September 2, 2005

2005-0040A



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dex 1450 Alexandra, Viginia 22313-1450 www.uppin.gov

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

10/522,674 Gabriele Grandini 2005-0040A

INTERNATIONAL APPLICATION NO.

PCT/IT03/00130

1A. FILING DATE 03/04/2003

07/02/2002

CONFIRMATION NO. 1791 371 FORMALITIES LETTER *OC000000016818598*

OC00000016818598

000513 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021

Date Mailed: 08/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/31/2005
- Copy of the International Search Report filed on 01/31/2005
- Copy of IPE Report filed on 01/31/2005
- Preliminary Amendments filed on 01/31/2005
- Information Disclosure Statements filed on 01/31/2005
- Oath or Declaration filed on 01/31/2005
- Small Entity Statement filed on 01/31/2005
- Request for Immediate Examination filed on 01/31/2005
- U.S. Basic National Fees filed on 01/31/2005
- Priority Documents filed on 01/31/2005

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AUG 2 4 2005
WENDEROTH, LIND & PONACK

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

• \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

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	U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
	10/522,674	PCT/IT03/00130	2005-0040A

FORM PCT/DO/EO/905 (371 Formalities Notice)